

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - May 15, 1968
June 12, 1968

Appeal No. 9613 Walter Burleigh, et ux, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried with Messrs. Harps and McIntosh dissenting, the following Order was entered at the meeting of the Board on June 19, 1968.

A request for rehearing was denied, unanimously, with Mr. Hatton absent, at the meeting of the Board on September 27, 1968.

EFFECTIVE DATE OF ORDER - September 30, 1968

ORDERED:

That the appeal for variance from the provisions of Section 1302 to permit subdivision creating a deficiency in the floor area ratio for existing apartment building and variance of the minimum street frontage requirements of the R-4 District, to permit erection of two single-family dwellings at 630 G Street, S.E., lot 80, Sq. 877, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. At the May 15, 1968, public hearing, counsel for an opponent to the variance request asked that the Board permit opposition testimony at the June hearing. This request was granted by the Board.
3. The proponents appeared at the May 15, 1968, public hearing and presented their case.
4. The property now consists of one lot improved with a 3-story apartment building. The property has a frontage of 46.88 feet on G Street, S.E., and a depth of 154.38 feet and contains approximately 9,955 square feet.
5. It is proposed to subdivide the property and create three lots; one containing the existing apartment house and the other two lots for single-family dwellings. One of the

proposed lots will contain approximately 2,776 square feet and the other will contain approximately 3,218 square feet.

6. Section 3301 of the Zoning Regulations provides that row dwellings in the R-4 District must have a width of 18 feet and contain 1,800 square feet of area.

7. Appellant stated that the existing 3-story apartment will have an FAR of .94 due to keeping the rear line level with the rear line of the lot on the other side of the dog leg shown on the site plan.

8. Testimony indicates that if the proposed existing apartment was expanded on the existing lot there is a possibility of 9 1-bedroom apartments being added, all in conformance with the regulations. This would mean a total of 12 units would exist on the property.

9. The apartment will be provided with three off-street parking spaces and the two proposed dwellings will each have one off-street parking space.

10. The property abuts a 15 foot public alley and is now the place where trash and debris is allowed to accumulate behind the existing building.

11. Appellant indicated that the dwellings would not be 3-story buildings but would be 2-story buildings enclosing an area over the ground level garage into the second floor.

12. The Capitol Hill Restoration Society and the Capitol Hill Southeast Citizens Association favor the granting of this appeal. There are two letters from residents of the area supporting this appeal.

13. There was opposition to the granting of this appeal. Attorney for the opponents stated that he represented five residents of the neighborhood who oppose the granting of this appeal. Their basic contention is that the proposed development represents an overuse of the land and should not be allowed.

14. The opponents petitioned the Board for reconsideration or a rehearing in the case after the June 19, 1968, decision of the Board granting this appeal. At its meeting of September 27, 1968, the Board denied the petition by a unanimous vote.

OPINION:

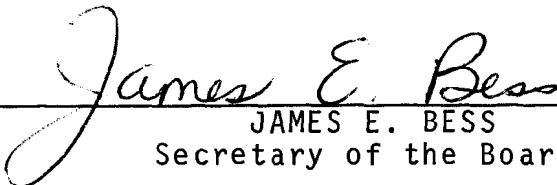
Although the proposed lots deviate from the requirements for lots in the R-4 District, the Board concludes that the granting of this appeal will not be detrimental to the surrounding area and will be consistent with other improved property in the neighborhood.

Further, we are of the opinion that appellant has shown a hardship within the meaning of the variance clause of the Zoning Regulations. The granting of this appeal will not adversely affect the use of neighboring property nor impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Our Order is limited to the development of the subject site with row dwellings, single-family townhouses, two in number.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____
JAMES E. BESS
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS AN APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.
